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SUBJECT: CDEBACA TO GOK AND KUWAITI NGOS: NEW BILL IS KEY
TO PROGRESS ON TIP

REF: A. KUWAIT 608

- 1B. KUWAIT 761
- 1C. KUWAIT 811
- 1D. KUWAIT 832
- 1E. KUWAIT 844
- 1F. KUWAIT 1078
- 1G. KUWAIT 788

11. (U) Summary: Highlights of the November 16 visit to Kuwait by Ambassador at Large for Trafficking in Persons (TIP) and Director of the Office to Monitor and Combat Trafficking in Persons Luis CdeBaca:

--Meeting with the Ministry of Social Affairs and Labor (MOSAL), Ambassador CdeBaca emphasized the critical role of Kuwait's anti-TIP bill in enabling Kuwait to make progress on this critical issue, while GOK officials emphasized their efforts to investigate labor complaints while explaining that as only one-third of the total population, Kuwaitis see strict oversight of the expat population here in the context of national security as well as economic and human rights terms.

--Meeting with the Kuwait Human Rights Society (KHRS) NGO, Ambassador CdeBaca explored the crossover between the institutions and training necessary to care for child abuse victims and those necessary to care for trafficking victims.

--Meeting with the International Labor Organization (ILO), Ambassador CdeBaca discussed the short-comings of Kuwait's new labor bill and the potential of the anti-TIP bill.

--With the press, Ambassador CdeBaca held a one-on-one interview with AP reporter Diana Elias. End summary.

12. (U) During his first visit to Kuwait in his capacity as Ambassador at Large for Trafficking in Persons (TIP) and Director of the Office to Monitor and Combat Trafficking in Persons, Ambassador CdeBaca on November 16 discussed with top MOSAL officials some of the similar trafficking problems experienced by both the U.S. and Kuwait as migrant labor destination countries. Although MOSAL U/S Mohammad Al-Kandari emphasized that there were significant differences between the two countries' labor experiences because Kuwait's two-million-strong foreign worker population is twice the size of its one-million-strong citizen population, he acknowledged Ambassador CdeBaca's point that parliament's passage of the anti-TIP bill would open the door to opportunities for USG anti-TIP training for GOK lawyers, victim counselors, and police. (Note: Since the appointment of MOSAL Minister Al-Afasi in May 2009, MOSAL has led the GOK on progressive policies for foreign workers (REFS A-E). However, MOSAL's reforms do not apply to Kuwait's 550,000 domestic workers, who fall under the Ministry of Interior's jurisdiction. End note.)

13. (U) In a subsequent meeting, Ambassador CdeBaca engaged

the leadership of the NGO Kuwait Human Rights Society (KHRS) on crossover between two of the group's main goals: helping child abuse victims and helping trafficking victims. The KHRS leaders were receptive to Ambassador CdeBaca's suggestion that many of the GOK institutions and training sought by the NGO to help child abuse victims -- shelters, counselors, and police training -- could be adapted to help trafficking victims as well. In response to accounts from KHRS director Ali Al-Baghli of foreign maids stealing from Kuwaiti sponsors and Kuwaiti sponsors physically abusing maids, Ambassador CdeBaca suggested the GOK mandate training for both incoming foreign workers and prospective sponsors.

¶4. (U) Meeting with ILO Officer-in-Charge Thabet Al-Haroun, Ambassador CdeBaca discussed Kuwait's draft labor bill and the potential for passage of the anti-TIP bill. Haroun expressed regret that proposed amendments that would have enabled the new labor bill to apply to domestic workers failed to pass. Haroun expressed concern that MOSAL was ill-prepared to implement the bill because it has provided no training to its staff concerning the major changes in the law. Haroun agreed with Ambassador CdeBaca that passage of the anti-TIP bill would greatly increase opportunities for USG anti-TIP training for GOK staff and expressed his belief that the U.S. TIP report has played a major role in hastening GOK labor reforms.

¶5. (U) Ambassador CdeBaca also met with the top two officials of the Kuwait Trade Union Federation (Chairman Khalid Al-Azmi and Deputy Chairman Abdul Rahman Al-Ghanim), Kuwait's International Organization for Migration Officer-in-Charge Iman Ereiqat, and labor attaches from sending countries

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Egypt, Bangladesh, Indonesia, Sri Lanka, and Pakistan. The problem of exploitative and fraudulent recruitment practices by labor agents in source countries and the Kuwaiti government's de facto policy of deporting runaway migrant workers were common themes in these meetings.

¶6. (U) In an interview with local AP reporter Diana Elias, Ambassador CdeBaca discussed the enormity of the trafficking problem in Kuwait and his optimism that the GOK was taking steps in the right direction. The following day, the local dailies ran favorable accounts of his visit.

¶7. (U) Comment: Ambassador CdeBaca's visit coincided with the Kuwaiti parliament's growing debate over trafficking and labor issues, particularly the new draft labor law (REF F; SEPTEL). Awareness of the challenges facing expatriate laborers appears to be growing -- helped by the many forward-leaning public comments of the MOSAL Minister (REF G). Many of the key anti-TIP actors with whom Ambassador CdeBaca met are determined to improve Kuwait's record in these areas and were encouraged by his discussion of common challenges and his offer to identify additional areas of cooperation and support.

¶8. (U) This cable was cleared by G/TIP staff.

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